

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID SMITH, ) 4:13CV3041  
 )  
 Plaintiff, )  
 )  
 v. ) **MEMORANDUM  
 AND ORDER**  
 )  
 SARGENT TURNER, and CORPORAL )  
 BELL, )  
 )  
 Defendants. )

This matter is before the court on Defendants' Motions to Stay Progression. (Filing Nos. [20](#) and [24](#).) Defendants have also filed a Motion to Dismiss and a Motion for Summary Judgment. (Filing Nos. [17](#) and [21](#).) Plaintiff has not responded to either Motion. (See Docket Sheet.) After careful consideration, the court will grant Defendants' Motions to Stay Progression. The Final Pretrial Conference in this matter, scheduled for July 31, 2014, is canceled. A separate progression order resetting the dates for the Final Pretrial Conference, and all associated deadlines, may be entered after the court resolves the pending Motion to Dismiss and Motion for Summary Judgment.

IT IS THEREFORE ORDERED that:

1. Defendants' Motions to Stay Progression (filing nos. [20](#) and [24](#)) are granted.
2. The Clerk of the court is directed to cancel the Final Pretrial Conference in this matter that is scheduled for July 31, 2014. A separate progression order resetting the dates for the Final Pretrial Conference, and all associated deadlines, may be entered after the court resolves the pending Motion to Dismiss and Motion for Summary Judgment.

DATED this 18th day of March, 2014.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge

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